

DENTONS US LLP
Carole Neville
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 768-6700
Facsimile: (212) 768-6800
carole.neville@dentons.com

Hearing Date: June 28, 2017
Hearing Time: 10:00 a.m.
Objection Deadline: June 7, 2017

Attorneys for Elaine Stein Roberts

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**ELAIN STEIN ROBERTS' (1) RESPONSE TO TRUSTEE'S MOTION AND
MEMORANDUM OF LAW TO AFFIRM HIS DETERMINATIONS DENYING
CLAIMS OF CLAIMANTS HOLDING INTERESTS IN
STANLEY I. LEHRER AND STUART M. STEIN JOINT TENANCY [ECF NO.
16031] AND (2) WITHDRAWAL OF OBJECTION [ECF NO. 3235]**

Elaine Stein Roberts, through her counsel, responds to Motion And Memorandum Of Law To Affirm His Determinations Denying Claims Of Claimants Holding Interests In Stanley I. Lehrer And Stuart M. Stein Joint Tenancy (the "Motion") filed by Irving H. Picard, Trustee (The "Trustee") For The Liquidation Of Bernard L. Madoff Investment

Securities LLC ("BLMIS") and withdraws her objection to the Trustee's Notice of Determination of Claim, as more fully set forth below.

RESPONSE

1. Elaine Stein Roberts was named as a defendant by the Trustee in the adversary proceeding captioned *Picard v. Stanley I. Lehrer et al.*, Adv. No. 10-05259 (SMB). In his Second Amended Complaint against certain participants in the Stanley I. Lehrer And Stuart M. Stein Joint Tenancy (the "Stein/Lehrer Joint Tenancy"), the Trustee seeks to recover two transfers purportedly made to Mrs. Roberts from her Individual Retirement Account ("IRA") and a separate nominee account maintained by Mrs. Roberts within the Stein/Lehrer Joint Tenancy.

2. Mrs. Roberts filed claim number 011562 on behalf of her IRA account. A copy of the claim is attached to Declaration of Vineet Sehgal [ECF No. 16033] as Exhibit 8. Mrs. Roberts filed an objection to the Trustee's denial of the claim for her IRA account on November 22, 2010. [ECF No. 3235].

3. Given the consistent rulings of the Court in similar matters, Mrs. Roberts agrees to withdraw her objection to the Trustee's determination without prejudice to or waiver of her claims and defenses in the adversary proceeding, including that she maintained an account for her IRA within the Stein/Lehrer Joint Tenancy.

WITHDRAWAL OF OBJECTION

Based upon the above, Mrs. Roberts hereby withdraws her objection to the Trustee's determination without prejudice to or waiver of her claims and defenses in the adversary proceeding, including that she maintained an account for her IRA within the Stein/Lehrer Joint Tenancy.

Dated: June 2, 2017
New York, New York

DENTONS US LLP

By: /s/ Carole Neville
Carole Neville
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 768-6700
Facsimile: (212) 768-6800
carole.neville@dentons.com

Attorneys for Elaine Stein Roberts

CERTIFICATE OF SERVICE

I, hereby certify that a true and accurate copy of the following was served this 2nd day of
June, 2017 by electronic mail and U.S. Mail upon the following:

David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Jorian L. Rose
Email: jrose@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com
Stephanie A. Ackerman
Email: sackerman@bakerlaw.com
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111

By: /s/ Carole Neville
Carole Neville